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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

) Attorney Docket No.: F-268

Frederick W. Ryan, Jr., et al.

) Group Art Unit: 2167

Serial No.: 09/938,326

) Examiner: Joseph A. Fischetti

Filed: August 23, 2001

) Date: October 25, 2004

Confirmation No.: 1636

) Customer No. 00919

Title: **SECURE TAX METER FOR COLLECTING SALES AND/OR USE
TAXES ON SALES THAT ARE MADE VIA THE INTERNET AND/OR
CATALOG**

ELECTION OF CLAIMS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the October 8, 2004, Restriction Requirement, Applicants provisionally elect species of claims 17-22 with traverse.

Applicants submit that the Examiner's Restriction Requirement is improper under MPEP §808.02 since there is no separate classification of each species; the species have not attained a separate status in the art; and a different field of search is not required.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

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October 25, 2004
Date